

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN SUGHRIM, DAVID FELICIANO,
ROLAND SOFO, DEREK GLEIXNER, and
KHALDOUN ALSHAMIRI, *individually and on
behalf of all others similarly situated,*

Plaintiff,

v.

STATE OF NEW YORK, NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND
COMMUNITY SUPERVISION, ANTHONY J.
ANNUCCI, JOHN A. SHIPLEY, NA-KIA
WALTON, STEPHEN URBANSKI, ALAN
WASHER, WILLIAM LEE, MICHAEL
BERTONE, and THOMAS NAPOLI,

Defendant.

19-CV-7977 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On November 1, 2024, the parties jointly filed a proposed Stipulation, Order, and Consent Judgment on Plaintiffs’ Class Claims. *See* ECF No. 370 (the “Proposed Settlement”). The Proposed Settlement would enter judgment on and “fully resolve” Plaintiffs’ class claims pursuant to Rule 54(b), *see id.* ¶¶ D.1, D.2, and would therefore bind the class members. Accordingly, the Court must approve the Proposed Settlement, and may do so “only after a hearing and only on finding that it is fair, reasonable, and adequate.” *See* Fed. R. Civ. P. 23(e). Because the Proposed Settlement is subject to the Court’s approval, class members must be provided notice pursuant to Rule 23(e)(1)(B) and must be given an opportunity to object pursuant to Rule 23(e)(5)(A). Additionally, to the extent that counsel for Plaintiffs intend to seek attorneys’ fees, they must do so by motion, and class members must be afforded notice of and the opportunity to object to that motion. *See* Fed. R. Civ. P. 23(h).

No later than November 20, 2024, the parties shall jointly submit a proposal that includes (1) a plan for providing notice to class members as required by Rule 23; and (2) a schedule for the

submission of motions and class member objections. Alternatively, by the same date, the parties may submit a joint letter setting forth reasons why the procedures discussed above do not apply.

SO ORDERED.

Dated: November 6, 2024
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written over a horizontal line.

Ronnie Abrams
United States District Judge